IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

WP(C).No. 4708 of 2007(I)

PETITIONER:

BASHEER K.M., AGED 39 YEARS,
S/O.MUHAMMAD, KURUVAPPILLY HOUSE,
KANJIRAKADU, RAYONPURAM.

BY ADV. SRI.RAJESH VIJAYAN
SRI.N.C.MOHANAN

RESPONDENTS:

1.THE SECRETARY,
OKKAL GRAMA PANCHAYAT.

2.THE CHIEF ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD,
THIRUVANANTHAPURAM.

R2 BY ADV. SMT.K.K.THULASY BHAI,SC,POLLUTION C.BOARD
R1 BY ADV.SRI.SIBY MATHEW
SRI.PHILIP J.VETTICKATTU
SRI.A.A.MOHAMMED NAZIR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C)No.4708 of 2007

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Dated: 8th March, 2007

JUDGMENT

The grievance of the petitioner is that the 1st respondent-Panchayat is not issuing licence for the expansion of a plywood business which is already being conducted within the area of the Panchayat. The stand taken by the Panchayat in the counter affidavit is that unless the petitioner produces consent from the Pollution Control Board, the Panchayat will not be able to consider the application for licence.

2. Heard Mr.Rajesh Vijayan, counsel for the petitioner, Mr.Siby Mathew, counsel for the 1st respondent-Panchayat and Smt.Thulasi Bai, Standing Counsel for the Pollution Control Board.

3. It is obvious that Exts.P5 and P6 applications for consent submitted by the petitioner pending consideration before the Pollution Control Board. The Pollution Control Board will after conducting necessary inspections take an early decision on Exts.P5 and P6. The decision as directed above will be taken by the Pollution Control Board within one month of receiving a copy of this judgment. If the decision of the Pollution Control Board comes to be in favour of the petitioner and the petitioner obtain consent, the same will be produced before the Panchayat in which case the Panchayat will

consider and pass orders on the petitioner's application for licence within one week of production of the consent by the petitioner.

The Writ Petition will stand disposed of as above.

srd **PIUS C.KURIAKOSE, JUDGE**